IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 888 OF 2005.
IN
SECOND APPEAL NO. 484 OF 2005.

Nandkumar Jagdeorao Bhintade & anr. ... Applicants.
Versus.
Udaykumar Dagdeorao Bhintade & ors. ... Respondents.

Shri S.B.Deshmukh i/by Smt.Vinita V.Shastry for the Applicants.

Shri Dilip Bodke for the Respondent No.1.

CORAM : ABHAY S.OKA, J.

DATED : 14th MARCH, 2006.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned Advocate appearing for the Respondent No.1. The Second Appeal is already admitted for final hearing. A limited relief is claimed in this Civil Application restraining the original Defendant No.5, who is Respondent No.1 herein, from creating third party interest in respect of the property in dispute.

2. As the Second Appeal has been admitted for final hearing, in my view the limited relief deserves to be granted.

3. Hence the Civil Application is disposed of by the following order:

i) Till final disposal of the Appeal, Respondent No.1 is restrained from creating any third party interest in respect of the property described in prayer (a) of the Civil Application.

ii) There will be no order as to costs.

Judge.